

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST COURT
MIDDLE DIST. OF LA

INDICTMENT FOR WIRE FRAUD 2004 MAY 13 P 12:24

UNITED STATES OF AMERICA :

versus :

ZACKARY ARTHUR HAUGE :

CRIMINAL NO. 04- **62-B-M3**
BY DEPUTY CLERK
18 U.S.C. § 1343
18 U.S.C. § 2

CR 04-170-S-EJC

THE GRAND JURY CHARGES:

AT ALL TIMES RELEVANT TO THIS INDICTMENT:

1. **ZACKARY ARTHUR HAUGE (HAUGE)** and Ryan Matthew Haney (Haney) were roommates at the Pi Kappa Alpha fraternity house located at 715 Nez Perce, Moscow, Idaho.

2. **HAUGE** and Haney were students at the University of Idaho. Haney was assigned by the University of Idaho a static internet protocol (I.P.) address of 129.101.137.236 for internet access, from his room he shared with **HAUGE** at the Pi Kappa Alpha fraternity house located at 715 Nez Perce, Moscow, Idaho.

THE SCHEME

3. In or about February 2003, in the Middle District of Louisiana and elsewhere, **ZACKARY ARTHUR HAUGE** and Ryan Matthew Haney, knowingly did devise and intend to devise a scheme and artifice to defraud and to obtain money by means of material false and fraudulent pretenses, representations and promises. The scheme and artifice devised and intended to be devised was substantially as follows:

4. It was part of the scheme that defendant **HAUGE** and Haney, would use the internet to advertise and offer to sell pain pills.

5. It was further part of the scheme that defendant **HAUGE** and Haney, while

JP KC
CD JS
ISM
BPO
JSA

arranging the sale, would falsely represent in e-mail communications that they would mail the pain pills as soon as payment was received through Western Union.

6. It was further part of the scheme that defendant **HAUGE** and Haney had no intention to deliver pain pills for the payment received.

7. In February of 2003, defendant **HAUGE** and Haney, utilizing the e-mail address Hydrocodone@anywhereUSA.com, posted several messages on a bulletin board owned by www.healthboards.com advertising the sale of pain pills. The advertisement advised interested parties to e-mail them at Hydrocodone@anywhereUSA.com. The I.P. address for Hydrocodone@anywhereUSA.com was 129.101.137.236, Haney's static I.P. number, assigned to him by the University of Idaho.

8. On or about February 19, 2003, Special Agent P. Michael Gordon, with the Federal Bureau of Investigation (FBI), United States Department of Justice, acting in an undercover capacity, using the e-mail address JMichaels1213@hotmail.com, contacted defendant **HAUGE** and Haney at Hydrocodone@anywhereUSA.com to inquire whether they were still selling pain pills. Later that same day, SA Gordon received an e-mail from Hydrocodone@anywhereUSA.com advising that defendant **HAUGE** and Haney were still in business and filling pain pill orders. The e-mail also provided an updated price list, shipping fees, Western Union instructions and the minimum order they would process.

9. On February 20, 2003, SA Gordon e-mailed defendant **HAUGE** and Haney at Hydrocodone@anywhereUSA.com to provide them with an order for the following pain pills; 20 Morphine, 60 Oxycodone, 30 Hydrocodone, 40 Skelaxin and 20 Percocet. Later that same day, SA Gordon received an e-mail from them at Hydrocodone@anywhereUSA.com

advising that the pills could be mailed either Thursday or Friday, depending on when the payment was received, via Western Union.

10. On February 21, 2003, SA Gordon, sent, via Western Union, from a Circle K store located in Baton Rouge, Louisiana, the payment of \$222.75 for the pain pill order referenced in paragraph 9. The payment was addressed to defendant **ZACK HAUGE**, Moscow, Idaho 83843.

11. SA Gordon thereafter e-mailed defendant **HAUGE** and Haney at Hydrocodone@anywhereUSA.com advising that the payment for the pain pills was sent via Western Union and providing the Money Transfer Control Number (MTCN) 8680364403.

12. On February 21, 2003, at approximately 11:00 a.m., defendant **HAUGE** and Haney drove to the Safeway grocery store in Moscow, Idaho in Haney's car. **HAUGE** went to the Western Union terminal in the Safeway and picked up SA Gordon's payment, MTCN 8680364403.

13. Later that day, on February 21, 2003, **HAUGE** and Haney sent an e-mail from Hydrocodone@anywhereUSA.com to SA Gordon advising that the package would be sent that day.

14. Defendant **HAUGE** and Haney never mailed a package of pills to SA Gordon.

THE WIRE TRANSMISSION:

15. For the purpose of executing the above-described scheme and artifice, in the Middle District of Louisiana and elsewhere, on or about the date set forth below, defendant **ZACKARY ARTHUR HAUGE** and Haney, knowingly caused to be transmitted in interstate commerce, by means of a wire communication, certain signs, signals, and sounds,

that is, a wire transfer of money from Baton Rouge, Louisiana to Idaho, as set forth below:

<u>DATE</u>	<u>ITEM</u>
<u>COUNT ONE:</u> February 21, 2003	Wire transfer of money, via Western Union, from Baton Rouge, Louisiana to Idaho, in the amount of \$222.75, as payment for the pain pill order.

The above is a violation of Title 18, United States Code, Sections 1343 and 2.

UNITED STATES OF AMERICA, by

A TRUE BILL



DAVID R. DUGAS
UNITED STATES ATTORNEY
MIDDLE DISTRICT OF LOUISIANA



GRAND JURY FOREMAN



JENNIFER M. KLEINPETER
ASSISTANT UNITED STATES ATTORNEY

5-13-04
DATE

CRIMINAL COVERSHEET

DEFENDANT'S NAME: Zachary A. Hauge

Juvenile: No

DEFENSE ATTORNEY: Dennis Benjamin
Address

Service
Type: / NS

Telephone No.:
INVESTIGATING
AGENCY & AGENT:

Interpreter: No
If yes, language:

CASE INFORMATION: (List any miscellaneous, magistrate, CVB or other related defendants/case numbers.)
MS-5653 - This defendant; 03-280-C-EJL co-defendant Haney

CRIMINAL CHARGING INFORMATION

<u>No</u> Complaint Superseding Indictment	<u>Yes</u> MD LA #04-62-B-M3 Indictment	<u>No</u> Information	<u>No</u>
<u>Yes</u> Felony	<u>No</u> Class A Misdemeanor	<u>No</u> Class B or C Misdemeanor (Petty Offense)	
County of Offense: Rule 20 - MD Lousiana			Estimated Trial Time: NA

TITLE/SECTION	COUNTS	BRIEF DESCRIPTION	PENALTIES (Include Supervised Release and Special Assessments)
18 U.S.C. 1343	1	Wire Fraud	20 year max; \$250,000 fine; S/R 3 years; S/A \$100

Date: August 17, 2004

AUSA: Rafael Gonzalez
Telephone No.: 334-1211